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AWARD IN DITCH CASE

CITY AND OWNERS TO SHARE EQUALLY THE COST.

THE ARBITERS' REPORT

After Hearing the Evidence in the Case, the Board of Arbitration Finds that the City and Owners Shall Share Expense Already Incurred and That of Concreting and Bridging Ditches.—Owners to Maintain Ditches and City to Maintain Bridges.

After several days of consideration of the evidence in the ditch-tiling cases, the Board of Arbitration, composed of Wm. M. Atkinson, E. A. Cahoon and Nathan Jaffa, today returned a report to all the parties interested, which will be read at the city council meeting tonight. The findings, briefly stated, are as follows:

1. The city must pay half the cost of the "useless" tiling already made and payment must be made as soon as the Hondo Stone Mfg. Co., the makers, file a bond of \$4,000 guaranteeing said tiling and providing for its storage, safe keeping, sale and accounting for the proceeds of said sale, for one year.
2. That the ditches shall be concreted as follows: The North Spring River ditch from the west side of Washington avenue to the Hondo Stone Mfg. Co. and the North Spring River Center ditch from its intake to the railroad track. Further, that the city and ditch companies shall share equally the cost of so concreting the respective ditches, and of bridging said respective ditches at streets and alleys.
3. The concreting shall be maintained and ditches shall be kept clear at the cost of the companies. The bridges shall be maintained by the city.

The work of concreting said ditches shall be commenced no later than October 15, 1907, and finished no later than February 15, 1908. All materials for this work shall be at the hands of the city or in storage in Roswell by October 15, 1907.

5. The ditch companies must give bond for \$5,000 each, signed by all the individual owners, guaranteeing their carrying out the provisions of this finding, and the city council must pass a resolution agreeing to do the same.

Plans and Specifications.

W. M. Reed shall make all surveys and measurements and receive therefor a fee of \$150.

- (a) All work shall be under the supervision of Fred C. Hunt, at a salary of \$4 per day. (b) The letting of contracts, purchasing of material, excavating, etc., shall be in the hands of the following committee: J. P. White, K. S. Woodruff, Arthur Stevens, W. E. Wiseley, J. P. Church and Sylvester P. Johnson. The chairman of this committee is K. S. Woodruff, and the secretary is Arthur Stevens. If this committee fails to settle any question, it shall be submitted to and settled by W. M. Atkinson.
- (c) Vacancies are to be filled by the board of arbitration.
- (d) The work of concreting shall extend from curb line to curb line. Where the ditches cross the street and alley lines, the concrete shall be reinforced sufficiently to form a foundation for the bridge.

The bridges shall be made of lumber or concrete, in accordance with plans furnished by W. M. Reed, and the construction shall be under the direction of the committee.

The cost of the construction of the bridges shall be paid by the city and the city be refunded one-half by the respective companies when itemized accounts are furnished.

It is directed that this award be entered as a final decree in the cases in court brought over the tiling question and that the city pay one-half the clerk's cost and the ditch companies pay the other half.

TROOPS TO GUARD COURT

Lexington, Ky., Mar. 5.—Forty men of the Frankfort company of State Guards under the command of Adj. Gen. Lawrence and Captain Loggins, arrived here this morning and went to Jackson to remain during the trial of Judge James Hargis on the charge of murdering Dr. B. D. Cox. The soldiers will report to Judge Carries who is trying the case and will be placed in the court house.

A LARGE PARCELS OF LAKE ARTHUR PROPERTY.

William K. McFarland, of Staples, Minnesota, was in Lake Arthur recently and purchased through the Lake Arthur Realty Company, 950 acres of land which will improve at once by watering the same by the means of artesian wells and by setting out fruit trees and planting alfalfa.

Mr. McFarland is negotiating for other large tracts of the most choice

land in the Lake Arthur section. He spent some time in looking over the land in Texas but did not invest in that state. Irrigation is not a new thing to Mr. McFarland, as he has lived in Colorado and Arizona. He is highly pleased with the prospects in the Pecos Valley and thinks that many of his friends will leave Minnesota for a warmer climate, and believe that this valley will suit them, as it has him.

MUCH EXCITEMENT AT UTE INDIAN CAMP.

Sturgis, S. D., Mar. 5.—Much excitement is reported from the Ute Indian camp near Fort Meade. Capt. Hall has arrived from Utah reservation in Utah for the purpose of holding a pow wow to induce the Indians to return to Utah. Hall is unpopular with the Utes, and when they heard of his arrival they became greatly aroused. Chief Appah is said to have sent word to Hall not to come to camp, fearing trouble if the young bucks see him. A pow wow was held at Fort Meade, but only a few chiefs attended and the outcome is not yet known.

JAMES E. GARFIELD BECOMES SECRETARY OF THE INTERIOR

Washington, Mar. 5.—James E. Garfield took the oath of office as Secretary of the Interior today. The oath was administered in the office of Secretary of the Interior by Warren Choate, chief clerk of the Bureau of Corporations.

(Inside today's paper will be found an outline of Mr. Garfield's policy in relation to the New Mexico situation.

New Governor of Porto Rico.

Washington, Mar. 5.—Henri Post of Bayport, L. I., former assemblyman for that district, has been selected by the President as governor of the island of Porto Rico to succeed Governor Beekman Winthrop, who is to become Assistant Secretary of the Treasury. Post is now secretary of the insular government, and is about 43 years old.

A NATIONAL BANK FOR LAKE ARTHUR.

Authority has been granted by the Comptroller of the Treasury to the First National Bank of Lake Arthur, and the bank will be organized at once and will be in operation in the least possible space of time. This is but another of the many indications of the rapid growth of the Valley to the south of Roswell, and also shows that the people of Lake Arthur are possessed with the spirit of advancement, and believe in the future growth and prosperity of their section.

Walter Daugherty—Bessie Chisholm.

Travelers from down the valley report that Walter Daugherty, formerly salesman in the New York Store, in Roswell, and Miss Bessie Chisholm were married Sunday at the home of the bride's father Sunday at Artesia. The couple will probably reside at Dayton.

Wedding This Afternoon.

Ben Pendergrass and Miss Jessie Stone were married at three o'clock this afternoon at the home of the bride's father, Jim Stone, corner 7th and Main streets. Rev. J. T. Evans performed the ceremony. The couple will go to Hagerman on a wedding trip this afternoon and return in a few days and go to housekeeping. The groom is a well drilled in the employ of C. P. Shearman.

FOR A GREATER ROSWELL.

Everyone who is interested in the future of Roswell and vicinity will be glad to learn of the organization of regular licensed real estate dealers forming what is known as the Roswell Realty Board. Anyone conducting a legitimate real estate business and who pays city and territorial license is eligible to membership. They are determined to do away with the shyster curbstone broker and inveterate knocker; this being the principal reason for their organizing. Roswell's progress has long been hampered by this class. Many a stranger coming within our gates has been deterred by the shyster curbstone broker and inveterate knocker; this being the principal reason for their organizing. Roswell's progress has long been hampered by this class. Many a stranger coming within our gates has been deterred by the shyster curbstone broker and inveterate knocker; this being the principal reason for their organizing.

Notice of Dissolution of the Partnership of Park & Morrison.

This is to notify all concerned that the partnership of Park & Morrison has been dissolved. All accounts due to or from the firm are to be paid to Harry Morrison, and all amounts due by the firm will be paid by him. The business will be continued by Mr. Morrison as sole proprietor.

DAN S. PARK.
HARRY MORRISON.

Odd Fellows Attention.

All members of Samaritan Lodge No. 12 are requested to meet at the hall tomorrow (Wednesday) afternoon at one o'clock to prepare for the funeral services of Bro. H. C. Evans, which will be held at 2 o'clock.

HAL K. COBBAN, Secy.

There will be a meeting of the Eastern Star this (Tuesday) evening at 7:30. Initiation followed by refreshments. By order W. M.

U. S. WEATHER BUREAU.

(Local Report.)
Roswell, N. M., Mar. 5.—Temperature—Max. 83; min. 51; mean, 67. Precipitation, 0; wind N. E., velocity 8 miles; weather cloudy.
Forecast, Roswell and vicinity: Rain tonight and Wednesday; stationary temperature.

M. WRIGHT,
Official in Charge.

THEY WILL INVESTIGATE GOVERNOR HAGERMAN

The Legislature Will Inquire Into Certain Acts of the Governor in the Sale of Territorial Lands.

A COMMITTEE OF FIVE MEMBERS

The Action Intended by the Gangsters as a Body Blow to the Governor, But Will React on Its Originators. It is Alleged the Governor Obtained and Used the Seal of the Commissioner of Public Lands During His Absence. Artesia County Bill Will be Favorably Reported From the Committee. Council Bill 65 Will Not Pass.

Special to The Daily Record.

Santa Fe, N. M., Mar. 4.—There was introduced in the house this afternoon a resolution which was intended as a body blow to the Governor. The resolution was introduced by Beach, and is entitled, "A Resolution providing for the appointment of a committee to investigate the alleged unlawful disposal and sale of certain territorial lands by Hon. Herbert H. Hagerman, Governor of New Mexico."

The resolution recites that it is currently reported that in the absence of the Commissioner of Public Lands, Governor Hagerman obtained deeds to seven thousand or more acres of land and delivered these deeds to W. S. Hopewell, and that the said Governor accepted from said Hopewell a check for a large amount which he introduced in the house this afternoon. It is now holding said amount. The resolution charges that the Governor obtained a seal from the office of the Commissioner during that officer's absence, which he attached to the deeds. It also charges that the lands are worth from twenty-five to one hundred dollars per acre.

A considerable portion of the afternoon was consumed in the consideration of this resolution by the seven-member committee. In the meantime the remaining members of the house concluded to make the adoption of the resolution unanimous, which was done.

By the terms of the resolution the

ST LOUIS TEAMS WILL GO SOUTH.

St. Louis, Mo., March 5.—Both of the St. Louis teams makes their getaway for the Texas training camps today, the Cardinals going to Fort Worth and the Browns to Marlin Springs. So far as the Nationals are concerned, the hope that springs perennial in the hearts of all baseball fans is dead in Budweiser town. Occasionally some near fan talks of the Cardinals landing in the first division but anyone indulging in the belief that McCloskey's squad will grab the lead would immediately be given a berth in the home for incurable bugs. Gloom reigns supreme in the Cardinal camp and the general belief here is that they will make a hard fight for the fall and position and will probably get it. The Browns find more favor in the eyes of the fans and unless the dope falls they will make a strong bid for the American league bumping.

The Cardinals have been given a severe shaking up by McCloskey, many of the disgruntled players of last year's squad having been given their walking papers, but the general result has not been highly pleasing. Many aspirants to major league honors will be given a try-out on the Texas trip. The pitchers of known ability include McGilguy, Beebe, Browne and Karger. Grady, Noonan and Marshall will be seen behind the plate. Beckley, a National league veteran of twenty years standing, will probably cover first, with Bennett as second Zimmerman at third and Holly at short. The outfielders include Barry Murray and O'Hara.

Jim McAleer, manager of the Browns, has gotten together a likely bunch of players. The pitching staff includes Jacobson, Glade, Powell, Peltz, Howell and several other lesser lights. Among the catchers are Spencer, Richey and the veteran O'Connor. Jones will play first, Nilse probably at second, Wallace at short and Delehanty, formerly with the Cincinnati Reds, at third. Stone, Hemphill and Pickering, a new man, will likely be the outfielders. The season of exhibition games will open with the San Antonio Texas league team next Saturday.

AMARILLO WANTS TO PLAY POLO AT THE CONVENTION.

O. H. Nelson, president of the Western Stock Yard Company, writes from Amarillo that some of the polo players of that town will challenge the polo players of Roswell for a matched game here during the cattleman's convention, April 16, 17, and 18. He suggests that some of the Amarillo players will want ponies supplied them by the Roswell players and this is the only requisite mentioned. This will be easily supplied. The players mentioned in the letter are John and Arthur McKnight and Tom Carson. Others will probably be here should the game be matched. These are known as good players. George M. Slaughter, one of Roswell's polo enthusiasts, hopes to have the game pulled off at the time specified.

REORGANIZED.

Boston, March 5.—Reorganized and strengthened by new material, the Beaneaters, tailenders of the American league last season, leave for their training quarters at Little Rock, Arkansas with bright prospects of development.

SPECIAL SALE

OF FINE DINING ROOM CHAIRS
Elegant leather seat diners, Golden Oak or old Mission Oak, at \$2.00 to \$3.00 each. Cane seat Golden Oak diners at \$1.00 to \$2.00. Solid wood seat Oak diners like cut at \$1.50.

Elegant quartered Oak, dining tables to match at \$10.00 to \$25.00 each.

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oping into a first division team. Out of the wreck and ruin of the once was champions, torn by internal dissensions and quarrels, President John Taylor and Chick Stahl, the new manager, have gotten together a bunch of players who give every promise of putting up a good article of the national game.

The pitching squad includes the veteran Cy Young; Ralph Glaze, the Dartmouth college recruit; Dineen, Harris, Gibson, and Winter, all veterans; Killian, Kroh, Oberlin and Railing, a bunch of promising youngsters. Criger, Peterson, Shaw and Carrigan will officiate behind the bat. Grimshaw will occupy first, Hobe Ferris will be on second and ex-manager Jimmy Collins will play third. Freddy Parent, the crack short stop, will remain with the team. Chick Stahl, besides being manager and captain of the team, will play center field. Heoy and Jimmy Barnett who played last year with the Rochester Eastern league team, will probably get the other outfield positions, although there are several candidates to be tried out.

TRACTION COMPANY FILES MORTGAGE.

Sherman, Tex., Mar. 5.—The Texas Traction Company, constructing the interurban line between Sherman and Dallas, yesterday filed a chattel mortgage and deed of trust in the office of the county clerk, covering its prospective line between the two cities named to the Colorado Trust Company of Boston, for \$2,000,000.

Reds off for Texas.

Cincinnati, O., March 5.—The first division of the Reds left today for Marlin Springs, Texas, and the rest of the team will go next Sunday. The Reds enter the race for the National league pennant this year with practically a new team, Manager El Hannon having made a clean sweep of a considerable portion of last year's squad. The retention of Lake Weller, the only really first class pitcher on the team, has been a severe blow to Hannon and seriously injures his chances of winning the pennant.

Among the pitchers are Andy Coakley, last year with the Philadelphia Americans; Mason, formerly with Baltimore; Roy Hitt, a California Pacific Coast league star; Bob Ewing, Essick and a half dozen others. John Gannell, who has played with the New York Giants and Highlanders and who last year managed a team of his own at Grand Rapids, will play the first base and captain the team. Miller, Huggins will hold down the second bag, with Lobert, a young player at third and Mowrey, another new arrival in major league circles, at short.

Several new catchers will be tried out, but McLean and Schell will likely do most of the backstopping. The outer garden is yet undecided, but McLean and Schell will probably be picked for two of the positions. With the raft of new players he has secured Hannon's squad is about the most uncertain proposition in the National league this season.

Special to The Daily Record.

Santa Fe, N. M., Mar. 5.—Council bill 65 as amended in the house Friday has not made its appearance in the Council. The present indications are that the bill will not pass. This is the bill which Mr. Hudspeth declared to be for the relief of criminals. Meira introduced a bill in the council this morning to prohibit unfair discrimination in freight rates and passenger fares by railroad companies in New Mexico. This bill would place freight rates and fares on the same basis as in Texas. The bill provides that higher rates shall not be charged than are charged in adjoining states through which the lines run.

(Signed) LOOMIS.

THE RUSSIAN DUMA OPEN

TURBULENT SCENES ATTENDING THE CONVENING OF THE POPULAR ASSEMBLAGE.

St. Petersburg, Mar. 5.—The duma, or lower house of parliament, was formally opened today at noon in the presence of all the ministers and many high functionaries. No members of the imperial household were present. The first ceremony was a religious service in which the Metropolitan Antonine, the higher clergy of the diocese and a full choir participated. E. Golouboff, vice president of the Council of Empire, called the house to order, and in a colorless speech invited the members to sign the oath of allegiance to Emperor Nicholas.

The conservatives cheered the mention of the name of the Emperor, but the opposition remained silent. The Social Democrats did not enter until Golouboff finished talking, when they came in a body, demonstratively. After signing the oath balloting for president of the lower house began. The imperial household were present. The first ceremony was a religious service in which the Metropolitan Antonine, the higher clergy of the diocese and a full choir participated. E. Golouboff, vice president of the Council of Empire, called the house to order, and in a colorless speech invited the members to sign the oath of allegiance to Emperor Nicholas.

TROOPS WERE USED

Revolutionary Speeches Made and Red Flags Displayed by the Crowds, and Many Were Beaten None Were Seriously Injured.

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ON PANAMA CANAL

New York, Mar. 5.—To the West Indies, the Spanish main and two days' stop at Colon that the Panama canal work may be visited, the steam ship Blucher, of the Hamburg-American Line, sails today with cabins full. In the large party are several members of congress, including Speaker Cannon, who takes the trip to see the operations on the Isthmus.

TO BE HANGED AT LINCOLN THIS MONTH.

Rosario Emilio Will Be Put to Death for Murder of a Girl in 1905. From Capital News, March 1.

A telegram received at this office last evening states that the supreme court yesterday confirmed the verdict of the district court in the case of Rosario Emilio, convicted of wilful murder of a girl in 1905 at Lincoln, and sentenced to be hanged on June 2, 1906. The case was appealed to the supreme court with the result stated, and the death penalty will be inflicted some time during the present month at Lincoln, except an appeal to the United States supreme court is granted, or executive clemency intervenes. Lack of funds makes the former improbable.

This unfortunate young man, condemned to die on the gallows for the brutal murder of his paramour, first saw the light of day some 25 years ago. The most of his life was spent in the home of his parents at Lincoln, and within a stone's throw of the county jail, inside the walls of which he is to die a felon's death. His father, now deceased, for many years kept a saloon at Lincoln, to

TEN WERE INJURED

NEW YORK CENTRAL TRAIN DERAILED, AND CRASHES INTO FREIGHT CARS.

HELD UP IN KANSAS

Missouri Pacific Train Held Up by Armed Robbers, and Passenger is Wounded.—Dynamite Explosion in Pennsylvania Wounds One Fatally and Forty are Seriously Injured.

Tivoli, N. Y., Mar. 5.—The limited fast train on the New York Central & Hudson River Railroad, from Chicago bound for New York, was partially derailed while passing through Tivoli at 5:40 this morning, and ten persons were injured, others sustaining slight bruises. At a point eight hundred feet south of Tivoli station, while passing over an interlocking switch on a straight track the three rear cars, two sleepers and the diner were derailed. The rest of the train remained on the track. The derailed cars crashed into a string of freight cars. The freight cars were overturned, but the passenger cars remained upright. Only the presence of the freight cars prevented the passenger cars going over the embankment into the Hudson river.

Inquiry Into Bronx Wreck.

Washington, D. C., Mar. 5.—Senator Chauncey M. Depew, one of the directors of the New York Central held responsible by the coroner's inquiry which inquired into the wreck in Bronx Feb. 15th, in which 123 were killed, and in New York tonight with counsel of the U. S. Government. He said today that he had not been summoned to appear, but would be guided by advice of counsel.

Train Held Up in Kansas.

Kansas City, Mar. 5.—At the general superintendent's office of the Missouri Pacific here today it was stated that W. O. Westlake, the passenger who was shot in last night's holdup of a northbound train near Pittsburg, Kan. was not seriously injured. Westlake was shot in the arm by one of two train robbers who were going through the train robbing passengers. The officers are scouring the country for the bandits, but as yet have no clue.

Large Crowd Hears Frost.

Napoleon Bonaparte at the M. E. Church South last tonight, a large and dense crowd present. The affair was given under the auspices of the Military Institute and netted the school's improvement fund about thirty dollars.

PREDICTED HIS OWN DEATH, MONTHS IN ADVANCE

An interesting incident of the death of Narciso Gonzales which occurred last week, has just developed. It is learned upon good authority that he predicted his own death several months ago, and his death came, he claimed, as a visitation of Divine Will.

ON PANAMA CANAL

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which the condemned young man had access. Strong drink, evil associations, and the bad influence of his environment while a boy, may be attributed as the cause which led to the crime for which he will pay the penalty with his life, and all an early grave.

JEROME DEFIES THE PRESIDING JUDGE.

New York, Mar. 5.—What promised to be a very dull session of the Thaw trial today was made one of the most exciting in the court annals of New York by District Attorney Jerome placing himself in the position of openly defying the presiding judge. Jerome declined Justice Fitzgerald to submit certain authorities to Justice Fitzgerald, upon the ground that the question of law involved was so elemental and the authorities so abundant that he must assume the court to have knowledge of the law. Jerome too much respect for the courts of this jurisdiction," declared Jerome, "to submit authorities on a proposition so elemental."

Justice Fitzgerald admonished the district attorney that it was his duty to submit the authorities called for, and said that the court would assume since he declined that he did not know of the existence of any such authorities.

The spectators were thrilled to absolute silence during this extraordinary debate. Jerome's manner of addressing the court was as defiant as his words. He seemed thoroughly aroused and Justice Fitzgerald seemed to retain his judicial calm only with great effort.

The point under discussion was as to whether Jerome on cross examination could take a wider scope than was permitted under direct examination. Fitzgerald sustained the position taken by the defense. During the debate Jerome declared that the legal assumption before the court is that Thaw is now insane. He said the defendant is shown to have been insane June 25th last, and it is an assumption of law that he continues in that condition until shown to be otherwise. Dr. Wagner was on the stand during the entire morning session.

GAYNOR AND GREENE CONSPIRACY CASE.

New Orleans, La., Mar. 5.—The celebrated case of Benjamin B. Greene and John F. Gaynor, charged with conspiracy against the U. S. Government, was called for argument today before the United States Circuit Court of Appeals. This case has been pending for more than seven years in one form or another, involving arguments before the judicial authorities of this country, Canada and England. The two men are under sentence of four years each and to pay a fine of \$575,000, and are now in jail at Macon pending the result of the appeal which is now being argued.

A CARD IN THE ROSWELL TRADE DIRECTORY BRINGS RESULTS AND KEEPS YOUR NAME BEFORE THE PEOPLE.

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Gonzales was a young and powerful, ly built and robust Mexican, born in Old Mexico and for ten years or more a resident of Roswell and vicinity. He worked on the ranches and farms in this locality and was known as a strong armed and willing workman. His only fault was the drink habit, and he had this in the worst form. He would get on protracted sprees and remain away from his duties for days at a time. This, he realized, was his besetting sin, and his misdeeds preyed heavily on his mind.

About the time of the big snow last November, Gonzales got on a big drunk and someone told him that he would come to grief as a result of his heavy drinking. He scorned the idea and spoke of his great strength and endurance. It was not two days before he lost his voice. He considered this a direct warning from God. And heed it for a time, too; and finally his voice returned. But he never had full control of the power of speech, to the day of his death. He was known to invariably get his words mixed and say